



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

By ECF

The Honorable Jesse M. Furman
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

July 2, 2021

Re: *Fuld v. Palestine Liberation Organization*, 20 Civ. 3374 (JMF)

Dear Judge Furman:

This Office represents the United States (the “government”) in the above-named action. On May 6, 2021, the Court certified to the Department of Justice the defendants’ constitutional challenge to the Promoting Security and Justice for Victims of Terrorism Act of 2019 (“PSJVTa”). Under Fed. R. Civ. P. 5.1(c), the Court may not enter judgment holding the statute unconstitutional before allowing the government at least 60 days after such a certification—here, until July 6, 2021. The Court may also set “a later time.” The government now respectfully seeks an additional ten days, to July 16, 2021, to decide whether to intervene pursuant to Rule 5.1. This is the government’s first request for an extension of time. Counsel for the parties consent to this request.

In deciding whether to intervene, the Acting Solicitor General seeks input from a number of components of the Department of Justice, including, in this case, the United States Attorney’s Office, the Federal Programs Branch, and the Civil Division Appellate Staff, as well as other interested federal agencies, here including the Department of State. The additional time now requested is needed for the government to complete the process of inter-agency consultation, for the Acting Solicitor General to reach a final decision, and, should the Acting Solicitor General authorize intervention, for the preparation of a memorandum for filing.

Thank you for your consideration.

Respectfully,

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United States Attorney

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